

OFFICE OF THE
ASSAM INFORMATION COMMISSION**JONAKKEE COMPLEX, SHILPGRAM ROAD, PANJABARI, GUWAHATI- 781037**Phone : (0361) 2332704, 2337900, 2331193 :: Fax : 2332704 :: email : secretary.sicassam@gmail.com

Case No. : KP(M).737/2017
Complainant/ Appellant : Sri Utpal Das
Respondent : Global Organization for Life Development
Date of Hearing : 29-8-2017
Complaint/ Second : Shri H. S. Das, IAS (Retd)
appeal heard by : State Chief Information Commissioner, Assam

O R D E R
29-8-2017

1. The appellant/petitioner Sri Utpal Das is present. The respondent is represented by:-Dr. Rajeeb Kumar Sharma, Honorary General Secretary, (GOLD), accompanied by M/s Chayanika Sarma.
2. The second appeal petition dated 31-7-2017 is taken up for consideration in presence of both the parties.
3. The Honorary General Secretary, GOLD furnished before this Commission a copy of certificate of Registration of Societies under The Indian Societies Act, 1860 , in support of his contention that GOLD is a private NGO registered as a Society under The Indian Registration Act of 1860. He also stated that GOLD is in receipt of some financial support from the Central and State Govts., besides donations from some private bodies and contributions by its members. He submitted that although some informations have already been furnished to the petitioner in response to his RTI petition dated 20-10-2016, being a private NGO not **substantially** dependent on Govt. funding , GOLD should not be brought under the RTI Act, 2005.
4. Against this, the petitioner contended that GOLD is in receipt of **substantial** Govt. funding and therefore, it should be treated as a public authority under Section 2(h)(d)(ii) of the RTI Act, 2005.
5. In view of the divergent contentions of the two parties, it is decided to first ascertain whether GOLD is in receipt of **substantial** Govt. funding by virtue of which it can be deemed to be a public authority under the RTI Act, 2005.
6. This Commission, therefore, directs the General Secretary of GOLD to submit year-wise statements for the last 10 (ten) years showing total annual receipts from various sources, specifically pointing out the receipts from the Central and State Governments, their annual expenditure year-wise, and the activities of the NGO before the next date of hearing.
7. Fix **6-10-2017, 12.30 P.M** for next hearing. ***Issue notices accordingly.***

(H. S. Das)
State Chief Information Commissioner,
Assam

Authenticated true copy

**Registrar
Assam Information Commission**

Memo No SIC/ KP(M) 737/2017

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Dated 29-8-2017

Copy to:-

- 1) Dr. Rajeeb Kumar Sharma, Honorary General Secretary, (GOLD), for information and necessary action as ordered above.
- 2) Sri Utpal Das, House No.-41, Rong Pathar Bye Lane, Fatasil Ambari, Guwahati-25 for information .
- 3) Computer Section for uploading in the Website.
- 4) Office file.
- 5) Order Book.

**Registrar
Assam Information Commission.**